

REMARKS

Claims 1-21 are pending in the present application. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

The abstract of the disclosure was objected to for informalities not in conformance with U.S. practice. The abstract has been amended to overcome this objection. Withdrawal thereof is respectfully requested.

Claims 5, 8-11 and 16-21 were rejected under 35 U.S.C. § 112, second paragraph. Applicant has amended the claims to clarify or remove the terms noted by the Examiner. Withdrawal of this rejection is respectfully requested.

Claims 1-21 were rejected under 35 U.S.C. § 103 as being unpatentable over Pomerantz (U.S. Patent No. 6,122,591) in view of Gerst (U.S. Patent No. 4,217,484) and further in view of Jackson (U.S. Patent No. 4,953,165). This rejection is respectfully traversed for the following reasons.

Pomerantz discloses a taximeter having some fraud detection means. The detected cases of fraud are very specific. Namely, this taximeter is only designed to detect when the distance of the actual journey is over a theoretical distance calculated in relation to computerized maps.

The Office Action makes reference to a printing system. But this printing system is only used to print a receipt which can be used for legal issues in a further dispute regarding the price of the journey. Pomerantz does not disclose that the connection of the printing device is

monitored. Moreover, the printing system of Pomerantz is considered as being permanently connected to the taximeter.

Gerst discloses the possibility of triggering an antifraud action in the case where the analysis of signals processed by the taximeter may result from a fraud attempt. However, among all the fraud possibilities, Gerst does not disclose the disconnection of the printing system.

Jackson relates to a computer system in general. It is more precisely directed to the diagnostic system software implemented on a computer. More precisely, supervision operations are performed by software which is able to detect the disconnection of a printer to send a warning to the user.

According to Applicant's understanding, the Examiner combines those three references based on the following links:

- Pomerantz discloses a taximeter which is able to print a receipt useful for a dispute after a potential fraud on the journey distance;
- Gerst discloses a taximeter triggering an anti-fraud action in the case of a fraud attempt on the speed signal processed by the taximeter; and
- Jackson teaches the monitoring of a disconnection of the printer on a personal computer.

According to the Examiner, the combination of those teachings would have lead one of ordinary skill to the claimed invention. Applicant respectfully disagrees.

The claimed invention provides for detection of the disconnection of the printer, and generates different actions

depending on the "tariff"/"for hire", position of the taximeter when the detection occurs. The consequence of the disconnection is then specifically dependent on such a position.

Applicant respectfully submits that none of the cited documents discloses such a selection. The only document monitoring a printer disconnection, i.e. the Jackson reference, generates a unique warning.

The pending claimed invention is not related to the printer connection in general, but only in relation with a taximeter, in order to generate two different actions depending on the state of the taximeter. This is not taught, or suggested in the prior art. For at least these reasons, applicant respectfully submits that claim 1 is patentable over the prior art of record whether taken alone or in combination as proposed in the Office Action.

With respect to the rejection of claims 4-21, whether explicitly stated or not, the Examiner appears to be relying on an inherency rejection. This is clearly stated with respect to claims 3 and 16-21, though it can also be inferred that this is the Examiner's position with respect to the remaining dependent claims. Applicant notes that in order for a claimed feature to be inherent in the prior art teachings, it must be necessarily present in the prior art. Applicant respectfully submits that the claimed features are not necessarily present in the prior art. Only with impermissible hindsight reference to applicant's disclosure could such teachings be found. Accordingly, Applicant respectfully submits that claims 2-21 are patentable over the prior art of record whether taken alone or in combination as

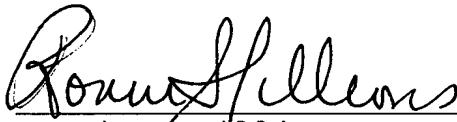
proposed in the Office Action and for the reasons discussed above with respect to claim 1.

In view of the above amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of record. Applicant submits that the application is in condition for allowance and early notice to this effect is most earnestly solicited.

If the Examiner has any questions he is invited to contact the undersigned at 202-628-5197.

Respectfully submitted,

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